

How to Request Reasonable Accommodation at NNSA SC

(This guide was developed to assist employees and supervisors with a summary of how requests for reasonable accommodation should occur. This guide should be used only as a quick reference. For a complete explanation of the overall process for requesting reasonable accommodation use the Equal Employment Opportunity Commission Guidance on Reasonable Accommodation.)

- **How must an individual request a reasonable accommodation?**

When an individual decides to request accommodation, the individual or his/her representative must let the employer know that s/he needs an adjustment or change at work for a reason related to a medical condition. To request accommodation, an individual may use "plain English" and need not mention the Rehabilitation Act of 1973, Americans with Disabilities Act or use the phrase "reasonable accommodation." Requests for reasonable accommodation do not need to be in writing. Individuals may request accommodations in conversation or may use any other mode of communication.

- **When should an individual with a disability request a reasonable accommodation?**

An individual with a disability may request a reasonable accommodation at any time during the application process or during the period of employment. The Rehabilitation Act does not preclude an employee with a disability from requesting a reasonable accommodation because s/he did not ask for one when applying for a job or after receiving a job offer. Rather, an individual with a disability should request a reasonable accommodation when s/he knows that there is a workplace barrier that is preventing him/her, due to a disability, from effectively competing for a position, performing a job, or gaining equal access to a benefit of employment. As a practical matter, it may be in an employee's interest to request a reasonable accommodation before performance suffers or conduct problems occur.

- **What must an employer do after receiving a request for reasonable accommodation?**

The employer and the individual with a disability should **engage in an informal process** to clarify what the individual needs and identify the appropriate reasonable accommodation. The employer may ask the individual relevant questions in order to make an informed decision about the request. This includes asking what type of reasonable accommodation is needed and requesting medical documentation to determine if a disability does in fact exist. Supervisors should be aware that providing reasonable accommodation does not require eliminating essential functions of the position.

- **How quickly must an employer respond to a request for reasonable accommodation?**

An employer should respond expeditiously to a request for reasonable accommodation. If the employer and the individual with a disability need to engage in an interactive process, this too should proceed as quickly as possible. Similarly, the employer should act promptly to provide the reasonable accommodation. Unnecessary delays can result in a violation of the Rehabilitation Act. If the accommodation would result in an undue hardship, then the request can be denied.

Procedures and Contacts for Employees and Supervisors

Step 1: Employee requests reasonable accommodation.

Step 2: Supervisor engages in an informal process to clarify what the individual needs and identify the appropriate reasonable accommodation.

Step 3: Supervisor contacts the proper organization for support if the reasonable accommodation requires workplace modification, job restructuring, etc.

Step 4: Supervisor contacts the EEO & Diversity Office for advisement and EEO coordinates with the HRD Selective Placement Coordinator or FED.

Contacts:

Workplace Modification – Ernie Moquino (OBS) 845-4578

Job Performance, Benefits & Privileges – Cheryl Torres (HRD) 845-5657

Job Applicants – Cheryl Torres (HRD) 845-5657

For additional information refer to the EEOC Reasonable Accommodation website <http://www.eeoc.gov/policy/docs/accommodation.html> or call the NNSA SC EEO & Diversity Office at 845-5517.

(Legal References: Rehabilitation Act of 1973, Title VII of the Civil Rights Act of 1964 and the Americans with Disabilities Act)